

ORIGINAL

LAW OFFICES

McCAMPBELL & YOUNG

A PROFESSIONAL CORPORATION

2021 PLAZA TOWER

POST OFFICE BOX 550

KNOXVILLE, TENNESSEE 37901-0550

(615) 637-1440

TELECOPIER (615) 546-9731

ROBERT S. YOUNG, JR.
LINDSAY YOUNG
RICHARD L. HOLLOW
ROBERT S. MARQUIS
ROBERT S. STONE
BRUCE A. ANDERSON
J. CHRISTOPHER KIRK
PATTY W. PARNELL
MARK K. WILLIAMS
DAVID L. RIHTARCHIK

H. H. McCAMPBELL, JR. (1905-1974)
F. GRAHAM BARTLETT (1920-1982)

ADMITTED IN
VIRGINIA:
ROBERT S. MARQUIS
CALIFORNIA:
PATTY W. PARNELL

July 8, 1988

FEDERAL EXPRESS

Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: BPH-870820MB, Hartford, Michigan

RECEIVED BY

JUL 11 1988

MAIL BRANCH

Dear Mr. Feaster:

We submit herewith, on behalf of our client, American Indian Broadcast Group, Inc., an original and four (4) copies of a Petition for Leave to Amend, and accompanying Amendment to its construction permit application now on file at the Commission, for a new FM station to serve Hartford, Michigan on FM channel 279A (103.7 MHz).

Should you or any members of your staff have questions regarding the enclosed, please communicate with the undersigned for clarification. Thank you for your cooperation in this matter.

With kind regards, I remain

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In Re Application of)
)
AMERICAN INDIAN BROADCAST GROUP, INC.)
) File No. BPH-870820MB
For Authority to Construct a New)
Commercial FM Station on Channel 279A)
at Hartford, Michigan)

To: Chief, Mass Media Bureau

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PETITION FOR LEAVE TO AMEND

MAIL BRANCH

American Indian Broadcast Group, Inc. ("American"), applicant for construction permit for non-reserved FM channel 279A at Hartford, Michigan (BPH-870820MB), by counsel, and pursuant to §§1.65 and 73.3522(a)(6) of the Commission's Rules and Regulations, hereby respectfully submits its petition for leave to amend its above-captioned application, so as to report changes in information previously filed as part of its application. In support whereof, the following is shown:

1. Information within the attached Amendment reports the filing of FM construction permit applications by American, most of which have already been reported, either at the time American's application was initially filed with the Commission, or by amendment thereafter. As indicated therein, the Amendment serves to provide a comprehensive listing of all such applications, including those previously reported, for ease of reference. In that regard, the Amendment also serves to correctly identify the applications by file number, consistent with

instructions accompanying FCC Form 301, and to report the status of such applications as of the present time.

2. American's amendment proffered herewith involves no deficiency in the tenderability of its application, and would not create any conflict with an application filed subsequent to the filing of its application in original form. Moreover, the applicant expressly disavows any comparative "upgrading" otherwise accruing to the applicant by the virtue of the acceptance of its amendment proffered herewith. While the proposed amendment was, in a sense, required by the "voluntary" act of the applicant, it is nevertheless acceptable in that it brings the application into compliance with §1.65 of the Commission's Rules. In that regard, the applicant has demonstrated due diligence in the preparation and filing of its amendment. Because the amendment is filed prior to designation of its application for hearing, the acceptance of the amendment could not possibly disrupt the orderly conduct of any hearing or necessitate additional hearings. Finally, no other party would be unfairly prejudiced by its acceptance. Accordingly, the applicant has shown good cause for filing the amendment, over and above its obligation to amend its application so as to report significant changes in information previously filed therewith. See Erwin O'Conner Broadcasting Company, 22 FCC 2d 140, 143, 18 RR2d 820, 824 (Rev. Bd. 1970), 47 C.F.R. §73.3522(a)(6).

WHEREFORE, premises considered, American Indian Broadcast Group, Inc. respectfully urges the Chief, Mass Media Bureau to grant the instant petition and accept the accompanying amendment for association with its application consistent with the above.

Respectfully submitted,

AMERICAN INDIAN
BROADCAST GROUP, INC.

McC Campbell & Young, Its Attorneys

By: 
Robert S. Stone

MCCAMPBELL & YOUNG
Suite 2021 Plaza Tower
P. O. Box 550
Knoxville, TN 37901-0550
(615) 637-1440

July 8, 1988

RSS026/P8
64001

AMENDMENT

The application of American Indian Broadcast Group, Inc. for authority to construct and operate a new FM broadcast station to serve the community of Hartford, Michigan on FM channel 279A (File No. BPH-870820MB) is hereby amended by the attached Rule 1.65 Update.

Dated this 24th day of June, 1988.

AMERICAN INDIAN
BROADCAST GROUP, INC.

By: Jack W. Bursack
Jack W. Bursack, President

RSS026/A24

RULE 1.65 UPDATE

The following table reflects all applications filed with the Commission by American Indian Broadcast Group, Inc., the applicant herein. While some of the information appearing below may already be reflected by the instant application, a comprehensive listing is furnished for ease of reference. As indicated, all applications are for construction permits for new FM broadcast stations.

<u>LOCATION</u>	<u>FILE NUMBER</u>
Hartford, Michigan	BPH-870820MB
Alamogordo, New Mexico	BPH-870820MC
Shreveport, Louisiana	BPH-870820MD*
Panama City Beach, Florida	BPH-870824MC**
Atlantic City, New Jersey	BPH-870827MQ
Post, Texas	BPH-870827NF***
Lawton, Oklahoma	BPH-870827NG
Germantown, Tennessee	BPH-870908MQ
DeWitt, Michigan	BPH-870914MC
State College, Pennsylvania	BPH-870916MB
San Angelo, Texas	BPH-870921MB
Windsor, Virginia	BPH-870928MC
Topeka, Kansas	BPH-871124MM
South Yarmouth, Massachusetts	BPH-880107NI
Vero Beach, Florida	BPH-880523MF

- * Shreveport, Louisiana application returned by Mass Media Bureau on March 4, 1988.

** Panama City Beach, Florida application returned by Mass Media Bureau on March 4, 1988.

*** Post Texas application returned by Mass Media Bureau on January 28, 1988 (petition for reconsideration pending).

Jack W. Bursack, President, Director, and 33 1/3% shareholder of American Indian Broadcast Group, Inc. is President, Director and 49.3% shareholder of Smyrna Broadcasting Corporation, licensee of daytime-only WSVT(AM), Smyrna, Tennessee. On May 11, 1988, Smyrna Broadcasting Corporation filed an